



The Comptroller General
of the United States

Washington, D.C. 20548

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Decision

Matter of: Filmore Construction Co.

File: B-228656

Date: August 7, 1987

DIGEST

Untimely protest against the correction of a mistake in bid based on the bidder's worksheets is dismissed where the protester requests consideration for good cause, but does not state any basis for the General Accounting Office to invoke the good cause exception to our timeliness rules, and the protest does not present a significant issue.

DECISION

Filmore Construction Co. protests the award of a contract to Bill Strong Enterprises, Inc., under invitation for bids (IFB) No. DACA27-87-B-0025 issued by the Louisville District of the U.S. Army Corps of Engineers for renovations to 377 existing units of family housing at Selfridge Air National Guard Base, Michigan.

We dismiss the protest as untimely.

Filmore protests that Strong, the low bidder-awardee, was permitted to increase its bid price prior to award based on an alleged mistake in bid. Strong remained low after the permitted correction. The protester's submission indicates that it learned that the agency permitted the correction, the basis for the protest, more than a month prior to the date on which the protest was filed in our Office. Filmore requests that our Office consider its protest, which Filmore acknowledges was not timely filed, under the good cause exception in our Bid Protest Regulations, 4 C.F.R. § 21.2(c) (1987). This provision states that the General Accounting Office, for good cause shown, or where it determines that a protest raises issues significant to the procurement system, may consider any protest which is not filed timely.

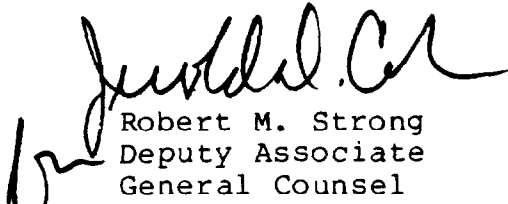
The good cause exception to our timeliness regulations is limited to circumstances where some compelling reason beyond the protester's control prevented the timely filing of the

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protest. Taurio Corp., B-219008.2, July 23, 1985, 85-2 CPD ¶ 74. Filmore has not stated any such reason, and none is suggested by the material which it submitted with its protest.

The significant issue exception will be invoked only where the subject matter of the protest is an issue of widespread interest or importance to the procurement community that has not been considered on the merits in a previous decision. Blinderman Construction Co. Inc., B-222523, June 16, 1986, 86-1 CPD ¶ 554. We have considered numerous protests challenging an agency's decision to permit correction of an alleged bid mistake, and we have explicitly held that this is not a significant issue within the meaning of our Bid Protest Regulations. M.C. Dean Electrical Contracting, Inc.--Reconsideration, B-221992.3, Mar. 12, 1986, 86-1 CPD ¶ 248.

The protest is dismissed.


Robert M. Strong
Deputy Associate
General Counsel